

1 **IN THE UNITED STATES DISTRICT COURT**
2 **FOR THE DISTRICT OF PUERTO RICO**

3 **CAGUAS LUMBER YARD, INC. et al.,**

4 **Plaintiffs,**

5 **v.**

Civil No. 11-1684 (GAG)

6 **ACE HARDWARE CORP, et al.,**

7 **Defendants.**

8 **ORDER**

9 The Court, upon de novo review hereby **ADOPTS** Magistrate Judge Velez-Rive's Report
10 and Recommendation regarding defendant's motion to dismiss as per Rule 12(b)(3) (Docket No.
11 31). The Court further **AFFIRMS** Judge Velez-Rive's Opinion and Order denying defendants'
12 request for a venue change as per 28 U.S.C. § 1401 (Docket No. 30). Her reasoning on both rulings
13 is therefore adopted. The Court further notes that in the present action there exists a immensely
14 strong public policy found in Law 75 to the effect that actions thereunder be litigated in Puerto Rico.

15 The undersigned, for purposes of its ruling, has carefully reviewed the following memoranda
16 submitted by the parties: defendants' Motion to Dismiss or Change of Venue (Docket No. 20), the
17 plaintiff's response thereto (Docket No. 26), as well as defendants' objection to the Report and
18 Recommendation and Appeal from Magistrate Judge's decision (Docket No. 33). Although in this
19 instance plaintiff has prevailed, the Court commends all counsel for their thorough, diligent and
20 excellent work in this matter.

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22 **SO ORDERED.**

23 In San Juan, Puerto Rico this 21st day of November 2011.

24 s/Gustavo A. Gelpí

25 GUSTAVO A. GELPI
26 United States District Judge

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